

Testimony of Todd Heyman

Accessory On-Farm Business Amendment, H.581

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Background

- Since 2016, developed 5 cabin farmstay biz just outside Woodstock; 2021 cash flow \$400k+
- Obtained public building, well & waste water, Act 250 permits for new construction
- Selected as Vermont's best farm stay by Yankee Magazine
- Featured on front page of Boston Globe Sunday Travel Section
- Recommended by Food & Wine magazine for best farm to visit in Vermont
- 10 years working on farms (6 on my own) and a UVM Farmer Training Program Graduate
- 10 years working as a lawyer handling complex commercial litigation throughout the country
- Board Member, Vermont Lodging Association

-testified on the original version of the Accessory On-Farm Business bill and encouraged a clarification of the relationship between Act 250 and AOFB's because I could foresee the problems based on my personal experience. Here was my written testimony to the Senate Ag Committee back in March of 2018:

"H.663 fails to take into account state laws that make starting an accessory on-farm business challenging, particularly if it involves the development of part of the land on the property. Specifically, ... Act 250 ... can pose big challenges to developing these businesses, and someone farming their land goes through the same process and is treated the same way as any other commercial development, even though accessory on-farm businesses further the goals of ... Act 250 ..."

Key Points of My Testimony

- 1) H. 581 is needed! Act 250 drives up costs for -- and overly complicates -- small AOFB developments even though these AOFBs further Act 250's goals--maintaining productive farmland, preserving scenic beauty, and helping other area farmers keep farming their own land.
- 2) Eliminate the arbitrary square footage and revenue limitations serving as imperfect proxies for unidentified concerns and **trust municipal conditional review** processes to directly control the *actual concerns* in the *actual context*. Avoid one size fits all! And don't punish success!
- 3) Consider a new perspective: agritourism can help Vermont farmers even if you, and they, might not see it as "farming." Agritourism makes premium markets available to area farmers, increases demand, and most importantly brands Vermont product as worthy of premium pricing.
- 4) ***Bigger Fixes***: (1) Focus on farmland production over arbitrary ratios or revenue--a substantial working farm is an asset regardless of product/revenue ratios; (2) add on-farm dining as a third category of AOFB to solve a real-world problem, and create practical on-farm restaurant regulations that would directly promote Vermont agriculture and fairness. Stop worrying who is in the farmer club (or whether a non-farmer might benefit) and focus on helping VT agriculture.

Introduction

Most importantly, thank you for the opportunity to testify here today. I have spent the last six years immersed in Vermont agritourism as a farmer, entrepreneur, developer, and advocate. I have used my legal training to analyze and navigate the array of laws here governing land development and tried to suggest ways for Vermont to grow its nascent agritourism industry.

I testified back in 2018 on the original bill creating AOFBs and, as a result of my testimony (I believe), farmstays were added to the legislation. Sadly, my suggestion that the bill ease the burden imposed by Act 250 on farmers trying to establish AOFBs was not included in the final version of the law, and Act 250 continues to impose significant costs on farmers trying to build or renovate buildings to make their farming business more viable to this day. In addition to financial costs, you should not overlook that the process itself is so bewildering and time-consuming (unless you pay someone “in the know”), that the deterrent effect of the law is far greater than just financial cost.

I. Act 250 Should Not Discourage Small AOFB Developments That Preserve Farmland

I developed five farm-stay rental cabins on my small diversified farm back in 2016-2017. I would estimate that Act 250 drove up the cost of my development by over \$20,000. The architect who was helping me to gather information to support my application at one point charged me so much money that I eventually fired him and set out to try to do it on my own. Even having had the benefit of much of his work, I did end up having to consult with my new architect, general contractor, and others to ensure I could satisfy whatever the District Commission would be looking for – so the costs kept coming even after firing the original architect. And the time spent on the permit was significant, even if it was my own.

And I have to say that researching and writing for that application was miserable and I had a lot more experience in the world of technical writing than most people. In the end, I would say that Act 250 had essentially zero effect on the decisions I made about the development. So that money got Vermont a permit fee but it didn't change my development on the ground in any meaningful way. I was just poorer and beaten down.

Act 250 is a funny law. It is in many ways duplicative of well and waste water requirements, public building requirements, stormwater permits, etc. I often asked myself what's the point of having to get multiple permits on the same subject matter? And I came around to concluding Act 250 as Vermont's ultimate umbrella insurance policy. It provides vague criteria for Vermont to block what it views as undesirable elements of a project -- just in case nobody ever thought those elements were bad enough to enact a law or zoning bylaw to prohibit them. In sum, it compensates for insufficiently specific regulatory regimes.

What makes Act 250 even funnier is that these vague criteria have, over time and by necessity, come to be understood by a group of expensive lawyers, architects, contractors, etc. to mean far more specific things than what is written down on paper. Everybody who works in the field knows certain things that the average person does not... what the District Commissions like to see in the applications, the use of water saving fixtures, energy star appliances and bulbs, no electric

resistance heat, all dark-sky lighting, certain drainage arrangements with culverts, default decibel sound requirements for different scenarios, the Quechee test, etc.

Rather than create extremely detailed public rules in plain English, and explain specifically how those rules could be satisfied, expensive professionals are needed to assist applicants with precisely what the District Commissions want. I recently listened to a District Commission hearing in which the chair berated an unrepresented applicant for not having submitted a lighting “schematic,” insisting that it was “what they always are given.” My immediate thought was... if you want a lighting schematic, make the application require that you submit one. How is the applicant to know these things without paying someone in the expensive Act 250 professional club? And what does it cost to get a lighting schematic? Do we really need to pay someone a hundred plus dollars/hour to help someone imagine the lights?

But I know this is not a bill about making Act 250 work better. I share this perspective because I want you to understand how this law impacts, in the real world, even the sub-1 acre AOFB developments at issue here. It is expensive, time-consuming, and confusing.

So here’s the reason for this law in a nutshell: Just in case it is not obvious, an AOFB is by definition on a farm. And, in the judgment of the person taking on the investment risk (who is in the best position to know), the AOFB is the best available way to improve the viability of the farming enterprise, or stated differently, preserve the productive farmland. Act 250 also tries to preserve productive farmland, just in a different way, by executive mandate. But the goal is the same. And because a one-acre AOFB also helps preserve the entirety of the farm’s land, it also, by definition, helps preserve Vermont’s scenic agricultural landscape. Unlike a Dollar General, a gas station, or a myriad of other commercial ventures, AOFBs further Act 250’s goals but, right now, are treated as no different from the Dollar General.

H.581 recognizes this mistake and fixes it. Please pass it. I have had people come to me to ask about various AOFB ideas and the moment I bring up Act 250, they just give up and try to think of another idea that wouldn’t trigger the law. Don’t let them give up so easily anymore. I just got a message from one of the organic dairy farmers losing her contract asking me about building a cabin farm-stay on her land. She’s worried about the marginal increase in property taxes since it won’t be considered a farm building. Imagine when I bring up Act 250. Where do you think that idea is headed?

There’s no reason for small AOFB developments to be treated like a Dollar General. Vermont needs to preserve farmland, and AOFB’s help preserve that. In addition, you get rural development in rural areas, by definition—the goal of this legislation.

II. The Problems With This Bill---4,000 Square Feet and \$200,000 Revenue Cap

I applaud this bill for recognizing that AOFB’s are in furtherance of Act 250’s goals and not a hindrance. But there are two arbitrary restrictions in the bill which should go.

A. 4000 sq. ft. Is Arbitrary, One-Size Fits All, and Untrusting of Municipal Review

The potential types of AOFBs are extremely varied, even just focusing on those identified in the language of the existing statute alone. Taking a one-size fits all approach just makes no sense. While a 4,000 sq. ft. limitation might work in some instances, it is not difficult to imagine a farm seeking to take advantage of the fall foliage bus tours needing a larger facility. My cabin business is over 3000 square feet and we have additional common space and employee housing that would put us over 4000 square feet if we had tried to put everything into a single development. The commercial appraiser who valued my land a while back was shocked we could even make a living with such a small rental footprint. And if this Committee were to come visit my farm (something I would welcome for any member), I don't think any one of you would find my development to be of an offensive scale.

But more importantly, municipal permitting can address issues of scale directly by looking at the specific project in the specific neighborhood and whatever the perceived nuisances might be. A much smaller project could have problematic lighting or sound, and a much larger project might not even be visible or heard from the road or a neighbor's house. Rather than use building size as a proxy for "too large a scale," let someone look at the actual facts in context and decide what is appropriate. Municipal permitting allows members of the public to share their views and lets those skilled and experienced in implementing zoning regulations make the decision. There is no reason to create arbitrary state-wide project limitations when this can be done with nuance at the local level.

I would also add one more important observation about AOFBs, diversification, agripreneurism, agritourism, or whatever else you might want to call these less traditional agricultural ventures. They are a lot more self-regulating than other forms of development. If someone builds a building that does not look "farmy," consistent with the look of the other buildings in the community, or seems grossly oversized for the neighborhood, it will likely not prosper. The customers looking for these agricultural ventures want something of appropriate scale to the farming operation. And they want an authentic farming operation behind the AOFB. There is a strong incentive to fold the AOFB structures into the farm in a beautiful way that accentuates the farm feel, not obfuscates it.

B. A \$200,000 Revenue Cap, or Any Arbitrary Cap, Unnecessarily Limits Success

Like the 4,000 sq. ft. limitation, having a revenue cap is also "one size fits all" and arbitrary. And a \$200,000 revenue cap is just far too low. Margins in the food business, any kind of food business, are slim. Even if that represented \$20,000 in profits (10% margins), nobody is going to spend the several hundred thousand dollars to build just about any kind of building in Vermont if the venture is capped at these kinds of revenue limits. For example, we bring in just over 400k in cash each year (some of it is refundable deposits for the following year so it isn't all recognized as revenue right away) and my wife and I make about the same amount each year that we pay to Vermont in taxes (property, meals and rooms, sales, and income). We jokingly refer to Vermont as our silent business partner. We are a very small operation and we are way over your 200k cap.

In addition, what happens if the business grows revenue over time, including farming revenues? Are we going to say that this is no longer a small AOFB and it needs to have been permitted through Act 250? First, as the counsel for the Agency for Agriculture Food and Markets pointed

out, you are “limiting success.” I might instead call it punishing success. I cannot tell if this idea of capping revenue is motivated by a desire to limit the scale/size of an AOFB (like the square footage) or if it is based on an underlying but unspoken belief that people in farming should not make much money. In either case, it is misguided.

As with the square footage requirement, a small local AOFB’s scale and look can be regulated in context by municipal review far more appropriately than by setting some revenue cap that doesn’t even take into account whether it is high volume, low margin operation, or the opposite. It’s an inappropriate one-size fits all approach. And it also isn’t a fixed criteria for permitting—and could change every year. There are better ways to address scale.

III. Vermont Needs To Learn The Italian Lesson – Agritourism Floats All Boats!

I have listened to much of the testimony on H.581 and I have been dismayed by many of the disapproving comments and tone from witnesses and committee members alike regarding three subjects: (1) people seeking to develop AOFBs or agritourism businesses who are not existing Vermont farmers; (2) people seeking to develop on-farm restaurants as if it were somehow inconsistent with the notion of farming; (3) a belief that a product/revenue ratio is a valid farmer authenticity test as opposed to a lazy regulatory approach that doesn’t look at the productive farming activity happening on the farm in real life.

It's time to reconsider these attitudes and beliefs, and I urge you to do so. Remember the words of Wendell Berry that “eating is an agricultural act.” Or go back to read Farm to Plate, which explained that connecting people with where and how food is grown changes their decisions about eating, which in turn changes what type of agriculture they promote with their hard-earned dollars.

If you want people to realize that fresh, high quality local food is worth the price premium over the industrialized stuff off the truck from out-of-state, it’s going to take some branding, convincing, etc. Farm to Plate has already studied this and concluded that agritourism and restaurants are a big part of this mission. Efforts in that regard should be encouraged, regardless of whether you personally would consider those people “farmers.”

Ukraine is not only taking help from professional soldiers. It doesn’t have that luxury. And Vermont does not have the luxury of cherry-picking the people it wants to maintain its farmland. Vermont stands to benefit from a few unconventional agricultural developments that revitalize defunct farmland (and keep an agriculturally skilled workforce in Vermont). If you don’t do it now, that farmland can instead be lost to housing developments and it is not coming back.

A. The Law Should Facilitate Agricultural Entrepreneurs Revitalizing Old Farms

First off, you should know that I am guilty of the sin of buying a defunct dairy farm to develop an AOFB before I even had a farm up and running. I already did it and I cannot easily undo it. But because it’s done, here is your opportunity to learn a bit more about the people and projects some committee members appear concerned might benefit from this legislation. Perhaps I can change some minds on whether these people and projects might also be worthy of a reduction in the Act 250 regulatory burden. This law would certainly have saved me a lot of money and aggravation.

My wife and I bought what is now Fat Sheep Farm in 2016 and immediately started applying for the relevant permits to open our 5 cabin farm stay business. That was priority number one. But we also did start farming that year as well.

On our farm, we grow vegetables on a couple of acres and raise dairy sheep and laying hens. We process our own sheep's milk and make cheese. This year, we also hope to begin drying and milling grain corn to sell polenta, corn meal, and corn flour. We have sold our product to the both high-end and low-end restaurants in our area and we do almost all of the work ourselves with our own two hands. And we think we are pretty good at it. Come try our cheese for yourself.

And even though we are a small operation and produce on a small scale, this is a ton of work—running a cabin business and managing the lodging grounds, providing farm-stay experiences to our cabin guests, growing vegetables, milking sheep, making cheese, taking care of the livestock and pastures, keeping a farmstand going, and selling product to area restaurants. Diversity is time intensive on any scale.

Rather than passing judgment on whether I'm a "farmer" or engaged in "farming," and the kind of person you are trying to help with Act 143, the Committee instead should be focused on whether what we are doing is in the interest of Vermont agriculture (and rural economic development) and should be facilitated by public policy.

Here are some of things we've done in six years:

- 1) Created a lodging business featured in the Boston Globe, Yankee Magazine, and Food & Wine that annually draws hundreds of thousands of out of state tourist dollars into a rural area of Vermont—spent in our area businesses.
- 2) Steers many of those tourist dollars to other farms by selling other farms' products in our own farmstand, directing our guests to other farmstands that they would not otherwise find, and directing guests to restaurants that we know support area farmers—all of which increases the demand for local farmers' products and increases the reliability of those markets for those farmers.
- 3) Built two units of housing on our property for our employees.
- 4) Recruited out of state people to move to Vermont to work on our venture, one of which is a 23 year old native Vermonter lured home by the prospect of working for us.
- 5) Trained that native Vermonter how to grow food, milk sheep, and make cheese and she now hopes to keep farming in her Vermont future.
- 6) Took a property that provided Vermont about \$6,000 in Vermont property taxes and turned it into one that generates Vermont over \$50,000 annually in meal and rooms tax and property taxes—more than an eight-fold increase.
- 7) Through farm stay experiences and sampling our own cheese and produce, we are branding Vermont agriculture as high quality and worthy of premium pricing.

- 8) As one of Vermont's few sheep cheese makers, we are contributing to Vermont's brand as a high-quality cheese producing state whose products are worthy of premium pricing.

The disparaging tone and comments about people like us were, to say the least, pretty disappointing. We took a defunct farm destined for second-home vacation property and instead created an engine of economic activity in a rural town in Vermont.

And whether anyone wants to put us in the “farmer” club couldn't be more insignificant to us. What we did has been good for Vermont farmers and the Vermont agricultural, cheese, and tourism brands—not to mention all the other rural businesses where our guests spend their money. We are proud of our business and its contributions to the economic health of our rural community.

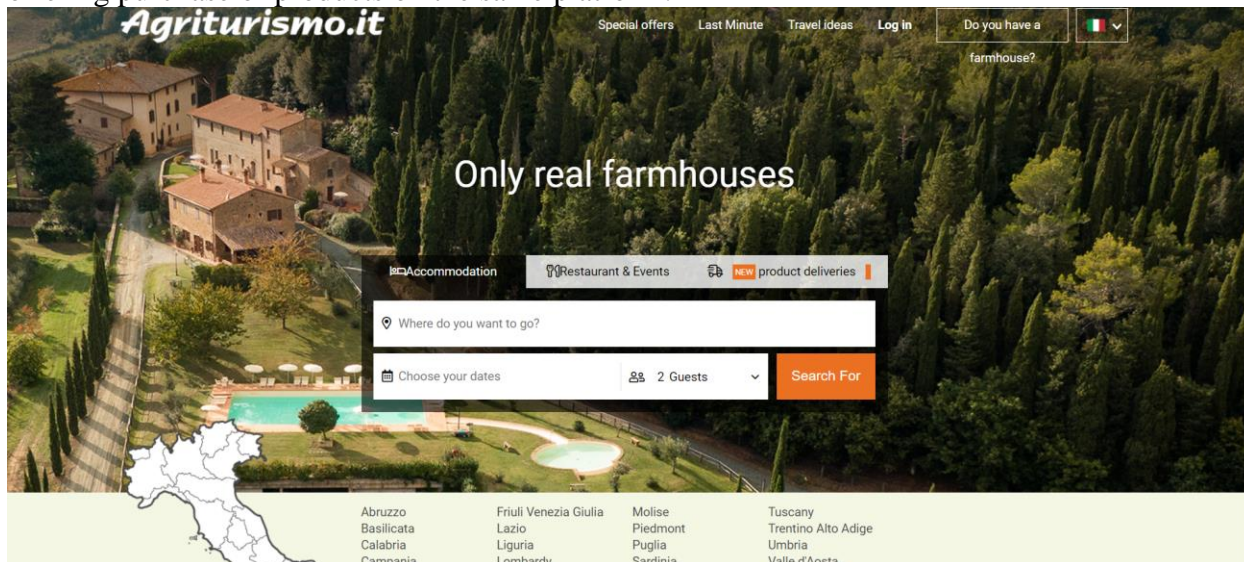
Farmers are temporary. They all die. The focus should be on preserving farmland. That is your true constituency. While Vermont is interested in maintaining its agricultural landscape and heritage largely for economic reasons, but this farmland might also someday be critical for regional food security. The more productive farmland you keep around, the better off Vermont will be.

If you get overly picky about who the law should benefit, you end up losing more farmland than you have to. I get being proud of doing traditional farming. I know how hard it is. But the bottom line is there are all kinds of way to preserve farmland and promote Vermont agriculture and premium pricing – and Vermont is going to need all of them on this uphill climb.

B. On-Farm Restaurants Are Part Of The Solution; They Are Not The Enemy.

Italy hosted the first world agritourism conference. Vermont is next. Italy has maintained a higher percentage of its workforce in agriculture, maintained a smaller average sized farm, and created a lot of rural economic opportunity for its farmers by, in part, fostering agritourism.

As you can see from the agriturismo homepage, “accommodation” and “restaurants and events” are the backbone of Italy's agritourism industry, and not only do these operations steer guests to other farms for purchases and experiences, but the website now supports other farmers directly by offering purchase of products on the same platform:



Like Vermont, Italy is less wealthy than its neighbors who visit it to explore its rural landscape and agricultural heritage. Italy's agritourism promotes the Italian agricultural brand and supports its export industry as well.

By contrast, Vermont's agritourism opportunities are dramatically underdeveloped. For farmstays, we know of Liberty Hill Farm, Green Mountain Girls, the Shelburne Farms' hotel, and not much else. For on-farm dining, we know of Clouldand Farm (seasonal), Fable Farm (one night a week in Barnard in the season), and Philo Ridge Farm (the only real year-round example). Other farms host occasional dinners that would be very difficult for tourists to find.

Vermont's government has already decided to be both an agricultural economy and a tourist economy. Farm To Plate could not be more clear on that. The hostility to developing even a modest agritourism industry here with a handful of on-farm restaurants dotting the Vermont landscape is illogical. There is tremendous rural economic opportunity that is going untapped, and there are countless ways to make such ventures support Vermont farmers in meaningful ways.

Lodging and dining are big investments and don't have great returns on investment, especially if you are not just renting an existing building. Indeed, I would be surprised if any of you can name even three new buildings in your communities built in the last ten years for either a lodging facility or a restaurant.

Because farms are outside village centers, developments must create their own well and waste water systems which become quite substantial if you are going over 24 people—as it becomes a public water supply. Because the ventures are commercial, buildings will need to meet commercial code which is also quite expensive in Vermont.

As a result, much like the affordable housing in this bill, you just aren't going to see people rush to do this sort of thing all over Vermont. You do not have to worry about a tremendous influx of rural restaurants and lodging being built all over the state. But regulatory obstacles should not further drive up the costs and hassles for this kind of development.

Our rural economies and farmers stand to benefit, and the path should be cleared to make this process easier. I have seen Vermont's tourism department making efforts to get tourists to stay in Vermont for an average of three nights instead of two—by promoting package opportunities on their website. If you want to increase the length of stay here, agritourism is a good way to do that.

If, like Italy, there were opportunities in Vermont to stay on farms in different areas doing different kinds of agriculture, while also dining on farms to directly sample the farms' food, people would plan longer trips to explore Vermont. People can travel almost anywhere in rural Italy staying and dining exclusively on farms.

Perhaps what Vermonters don't understand that flatlanders do is that the flatlander drive to explore farms -- at significant price points -- is far higher than anyone here realizes. We are living proof. All of our neighbors thought we were crazy and nobody would drive a mile up a dirt road in a town

that nobody has heard of to visit a dairy sheep and vegetable farm. Sitting here in March, I can tell you that we have less than five weekends available between now and November 18th.

Even just a few farm restaurants and a few farm-stays in each county of Vermont would create the opportunity to create diverse agritourism vacations of substantial length. This would also create more markets and branding for Vermont agriculture throughout the state. This happens in Italy on a large scale and there's no reason it should not be happening here in Vermont with its robust and varied agricultural landscape.

C. Even if you hate on-farm restaurants, they're already here, they're not going anywhere, and they require enterprise appropriate regulation—which is your job.

Although I have saved this testimony for last, I hope you will consider it carefully. It could not be more clear from watching the prior testimony that this committee is no fan of the on-farm restaurant and perhaps your minds cannot be changed. But I still think a conversation on the subject is in order.

Even if you will never come around to the idea of a restaurant on a farm, the fact is that on-farm dining is already here and will continue to grow albeit slowly. The truth is that the current rules do not fit the enterprise and, as a result, they can be selectively ignored or selectively enforced – which is exactly what is happening right now. It is an embarrassment to Vermont.

Consider Philo Ridge Farm, a year-round restaurant and wedding venue operating in Charlotte without an Act 250 permit. You can go to its website and see its full beer and wine menu, none of which is made on site. It's jurisdictional opinion on Act 250, like that of Cloudland Farm and Fable Farm, treats prepared meals as farming (presumably using 50%+ of its own ingredients, although Philo's JO doesn't even expressly mention that). It is an asset to its community and the state of Vermont has done nothing to stop it from operating. There is no question that this farm was revitalized with the capital of a non-farmer (albeit one with an 802 area code).

Now consider Peace Field Farm in Woodstock which was denied its Act 250 permit without even being afforded the courtesy of the 50%+ own-product jurisdictional analysis that every other farm was afforded. The restaurant proposed at Peace Field is not in any meaningful way different from the one operating without a permit at Philo Ridge Farm. By all appearances, the different treatment appears to stem from perceptions about the people involved rather than facts on the ground.

The multi-generational Vermont farmer who has moved his farm to Peace Field is entering his fourth season on the property and has a pretty significant agricultural operation in place – something which this Committee does not seem to understand. It is disappointing you have not invited the farmer here to learn about his plans and his ability to satisfy the 50% rule (not to mention prove it), in person.

But I'm not here to complain about the disparate regulatory treatment or whom you have selected as witnesses. I'm here to say that these on-farm dining enterprises are already operating in Vermont and here to stay (unless and until you pass a law prohibiting them), and you might as well create a regulatory framework that is both practical and promotes Vermont agriculture.

First and foremost, ratios of product weight/volume/revenue are hard to track and serve no goal. Ostensibly, it is supposed to guarantee that the proposed venture is a true farm, but there are better ways to do that.

In my opinion, the goals should be twofold: (1) finding a way to support substantial farming operations; and (2) making sure on-farm restaurants help other farmers. Just because you can satisfy the 50% rule does not mean you are a substantial working farm. It could just mean you are small and your venture is small. And that's OK, but it is missing out on other economic opportunity that might save more productive farmland and larger farming operations.

The law should instead care about what the farm does—is it a real working farm with lots of production? And if it also buys in other qualifying product, is it doing so from other Vermont producers in large quantities? If the answer to those two questions are yes, why would Vermont want to discourage such an operation from existing? Why would Vermont care if the restaurant sells 35% of its own product (assuming that is a substantial amount of product) and also sells another 50% from other area farmers? How is that bad for Vermont farmers or agriculture? The ratio does a disservice in this context.

If the farm can feature its products on its daily menu, it is probably producing enough product to be a real farm. For that reason, I would suggest using the “feature” language contained in 24 V.S.A. §4412(11)(A)(i)(II) to define an on-farm restaurant. Yes, people could get cute and feature just cilantro, but I do not think such an inauthentic farm restaurant would survive in the market and, quite frankly, that fear is imaginary and completely inconsistent with the creative spirit behind creating these operations.

But if more protection were sought in a regulatory framework to ensure that the farm was legitimately a genuine producer, I would suggest that the Agency of Agriculture, Food and Markets be directed to draft regulations that define a “substantial agricultural operation” based on criteria like product weight and volume (specific to the nature of the products), acreage, number of livestock, etc. (not revenue, as the AOFB may just move all of its product through its AOFB without “selling” it to the AOFB).

Having knowledge of the industry, the Agency is in the best position to decide the criteria to distinguish between substantial and insubstantial agricultural operations. The RAP rules already have a “small farm” definition and the Agency will already inspect farms to provide a jurisdictional opinion about whether an entity is engaged in farming and subject to their jurisdiction. Instead of just providing a jurisdictional opinion, the Agency could also declare whether it meets the “substantial agricultural operation” definition that it developed with its own expertise.

If a substantial agricultural operation is in place, that is an asset to Vermont's mission to preserve and promote Vermont's productive farmland. But that shouldn't be enough to get special regulatory treatment contemplated by this law. If the farm is going to purchase qualifying product for its restaurant, that product should come primarily from other Vermont producers. Rather than forcing busy people to track the weight or volume of those purchases (or worse, trace that weight or volume to specific revenues), why not skip the mathematical gymnastics altogether and simply

use the vendor invoices and dollars spent as the measuring yardstick. Those numbers are easy to track and need to be tracked anyway to do one's taxes.

In sum, I would encourage you to look at a two-part definition if you are not inclined to use the "feature" language to define an on-farm restaurant: (a) AAFM certification as substantial; and (2) audit of qualifying product vendor invoices to ensure Vermont producers benefit.

My only other suggestion concerns the issue of alcohol, which is consumed at pretty much every on-farm dining experience, whether it is BYOB, made on site, or sold by the farmer (like Philo Ridge). On-farm dining is an excellent venue to promote Vermont beer, wine, and spirits. And given that drinking is going to occur regardless, I see no reason not to let the farmer share in the profits by permitting it to be sold. Instead of viewing this as a problem, I would encourage you to consider it an opportunity. Rather than lumping alcohol into the analysis of qualifying product vendor invoices, it would be great to simply mandate that Vermont offerings be included on the menu and let the farmer earn some income from the sale and consumption of alcohol on her or his property while also creating a new market for Vermont-made alcohol.

Concluding Remarks

Thank you again for the opportunity to testify on this bill. I hope you find these written comments helpful and look forward to continuing the conversation during live testimony.

I am also including some additional exhibits that might be of use to the committee in its deliberations:

- 1) Farm to Plate: Agritourism
- 2) Farm to Plate: Restaurants
- 3) Article Summarizing Italian Agriturismo Experience
- 4) Jurisdictional Opinions From Philo Ridge, Fable Farm Collective, and Cloudland Farm